

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, May 28, 2008

CHARTER SCHOOL FACILITIES PROGRAM
PRELIMINARY APPORTIONMENTS

PURPOSE OF REPORT

To provide preliminary apportionments for the Charter School Facilities Program (CSFP) in the amount of \$462,590,124.

DESCRIPTION

Proposition 1D provides the CSFP with an additional \$500 million for charter school facilities. This program provides qualified applicants with a preliminary apportionment for the construction of new charter schools or the rehabilitation of existing district owned facilities that are at least 15 years old. The applications that are included on the Attachment to this agenda item underwent a thorough review process by both the California School Finance Authority (CSFA) and the Office of Public School Construction (OPSC). The applicants have been determined to be financially sound and all program requirements have been met.

AUTHORITY

Education Code (EC) Sections 17078.52 through 17078.66 and 17180.5 established the CSFP, and the 2002, 2004, and 2006 Charter School Facility Accounts. EC Section 17078.54 further authorizes the CSFA to charge its administrative costs against the Charter School Facility Account, not to exceed 2.5 percent of this account.

Pursuant to Regulation Section 1859.164, all funds approved as a preliminary apportionment are to be transferred to the Restricted Charter School Fund and any funds not approved as preliminary apportionments are to be transferred to the Unrestricted Charter School Fund.

Pursuant to Regulation Section 1859.166 and 1859.166.1, a time limit and a potential time extension are provided for the conversion of a preliminary apportionment to a final apportionment. These sections further provide that any preliminary charter school apportionments not converted will be rescinded and the funding reserved for the project will be placed back in the Unrestricted Charter School Fund.

STAFF COMMENTS

Of the \$500 million made available for the program, up to 2.5 percent of this amount may be used by the CSFA for its administrative purposes. The chart below shows the distribution of the \$500 million available to fund the CSFP:

Fund/Account	Amount
Total Available from Proposition 1D	\$500,000,000
CSFA Administrative Cost Reservation	(\$12,500,000)
Total Available for Preliminary Apportionments	\$487,500,000

The OPSC accepted over 90 applications by the filing deadline for a requested amount of over \$2 billion. After the review process was completed, 79 applications totaling \$1,513,654,236 remain eligible for consideration. The value of the eligible applications received greatly exceeds the \$487.5 million available for apportionment in the Charter School Facility Account. Therefore, by law, the following must occur:

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STAFF COMMENTS (cont.)

- To ensure that a variety of project types are funded, the Board will apportion applications based on both preference points and funding category. Preference points for applicants are calculated based on:
 - percentage of overcrowding for the school district where the project will be located
 - percentage of low income pupils in the school district where the project will be located, any public school within the Charter School General Location, or in the existing charter school
 - whether or not the charter school is a non-profit entity, and
 - whether or not the charter school is rehabilitating district owned existing facilities

Once the preference points have been established, the application with the highest number of points will be funded in each of the categories for regions of the State; urban, rural or suburban area type; size of the charter school; and grade levels served by the project. On the Attachment to this item, the applications are shown in rank order and the shaded projects are those that are recommended for funding.

- All funds approved as a Preliminary Charter School Apportionment in this action shall be transferred to the Restricted Charter School Fund within the appropriate Charter School Facility Account for the purpose of making final apportionments to the individual projects when the charter school or school district files a conversion application.
- Any applications the SAB is unable to provide a Preliminary Charter School Apportionment for will be returned to the Charter School applicant as there is no provision in law to establish an unfunded list for the remaining projects. The Board may consider opening additional filing periods once a sufficient amount of funds are available in the Unrestricted Charter School Fund.

The successful applicants will have four years (with a possible one-year extension) to convert the project to a Final Charter School Apportionment. Any preliminary charter school apportionments not converted within the specified time period will be rescinded and the funding reserved for the project will be placed back in the Unrestricted Charter School Fund.

RECOMMENDATIONS

1. Approve preliminary apportionments for the projects shown on the Attachment in the amount of \$462,590,124.
2. Authorize the OPSC to set aside \$12.5 million in funding for CSFA administrative costs.
3. Authorize the transfer of \$462,590,124 to the Restricted Charter School Fund within the 2006 Charter School Facility Account.
4. Authorize the transfer of \$24,909,876 to the Unrestricted Charter School Fund within the 2006 Charter School Facility Account.
5. Provide that the charter schools receiving a Preliminary Apportionment convert the project to a Final Apportionment within four years or as provided in Regulation Section 1859.166.1.

BOARD ACTION

In considering this item, the State Allocation Board approved staff's recommendations. In addition, the Board requested staff to monitor the seven charter school projects for which the applicant reduced the project costs in order to be financially sound.

State Allocation Board Meeting, May 28, 2008
Charter School Facilities Program Preliminary Apportionments

Attachment

Application Number	District	County	Charter School	50-09 Received Date	Total Preference Points	CATEGORY 1		CATEGORY 2		CATEGORY 3		CATEGORY 4		Total Project Cost	Total State Share (Including Lease Payment Amt)	Cumulative Value of Preliminary Apportionments
						Region	Funding Order	Urban, Rural, Suburban	Funding Order	Large, Medium, Small	Funding Order	Grade Level	Funding Order			
54/61796-03-001	WEST CONTRA COSTA UNIFIED	Contra Costa	LEADERSHIP PUBLIC SCHOOLS: RICHMOND	6/5/2007	120	1	1	Suburban	-	Large	-	9-12	-	24,796,362	15,398,181	15,398,181
54/68478-13-001	SAN FRANCISCO UNIFIED	San Francisco	LEADERSHIP HIGH (CHAR)*	6/1/2007	104	2	2	Urban	-	Medium	-	9-12	-	18,235,066	9,117,533	24,515,714
54/75044-00-002	HESPERIA UNIFIED	San Bernardino	PATHWAYS TO COLLEGE	6/5/2007	112	3	3	Suburban	-	Small	-	K-6	-	8,837,944	8,837,944	33,353,658
54/68130-00-001	GROSSMONT UNION HIGH	San Diego	HELIX HIGH	6/5/2007	100	4	4	Suburban	-	Large	-	9-12	-	64,872,368	32,436,184	65,789,842
54/61424-00-001	CHICO UNIFIED	Butte	CHICO COUNTRY DAY ELEM	5/31/2007	116.5	1	-	Urban	5	Large	-	7-8	-	8,437,062	8,437,062	74,226,904
54/75283-00-002	NATOMAS UNIFIED	Sacramento	WESTLAKE CHARTER	6/4/2007	96	1	-	Rural	6	Small	-	K-6	-	2,404,544	1,675,915	75,902,819
54/67363-02-004	GRANT JOINT UNION HIGH	Sacramento	FUTURES HIGH	6/5/2007	116	1	-	Suburban	7	Medium	-	9-12	-	10,205,824	10,205,824	86,108,643
54/67363-02-006	GRANT JOINT UNION HIGH	Sacramento	FUTURES HIGH	6/5/2007	116	1	-	Suburban	7	Medium	-	9-12	-	970,420	970,420	87,079,063
54/64733-00-056	LOS ANGELES UNIFIED	Los Angeles	VAUGHN NEXT CENTURY LEARNING CENTER	5/30/2007	80	3	-	Urban	-	Large	8	9-12	-	12,439,850	6,219,925	93,298,988
54/69179-00-002	COLLEGE ELEMENTARY	Santa Barbara	SANTA YNEZ VALLEY CHARTER	6/5/2007	96	3	-	Suburban	-	Medium	9	7-8	-	1,453,156	726,578	94,025,566
54/69179-00-001	COLLEGE ELEMENTARY	Santa Barbara	SANTA YNEZ VALLEY CHARTER	6/5/2007	96	3	-	Suburban	-	Medium	9	7-8	-	21,324,496	10,662,248	104,687,814
54/61309-00-001	SAN LORENZO UNIFIED	Alameda	KIPP KING COLLEGIATE HIGH	6/5/2007	104	2	-	Suburban	-	Small	10	9-12	-	11,041,874	11,041,874	115,729,688
54/61309-00-002	SAN LORENZO UNIFIED	Alameda	KIPP KING COLLEGIATE HIGH	6/5/2007	104	2	-	Suburban	-	Small	10	9-12	-	3,607,942	3,607,942	119,337,630
54/64733-00-055	LOS ANGELES UNIFIED	Los Angeles	ANTONIO MARIA LUGO ACADEMY	6/5/2007	76.5	3	-	Suburban	-	Medium	-	K-6	11	32,181,496	32,181,496	151,519,126
54/64733-00-064	LOS ANGELES UNIFIED	Los Angeles	CHARTER ACADEMY MIDDLE SCHOOL	6/5/2007	79	3	-	Suburban	-	Small	-	7-8	12	17,667,222	17,667,222	169,186,348
54/64733-00-033	LOS ANGELES UNIFIED	Los Angeles	ANIMO JUSTICE CHARTER HIGH	6/5/2007	79.5	3	-	Urban	-	Small	-	9-12	13	27,883,656	27,883,656	197,070,004
54/67306-00-001	DEL PASO HEIGHTS ELEMENTARY	Sacramento	HIGHER LEARNING ACADEMY	6/5/2007	77	1	14	Urban	-	Small	-	9-12	-	18,067,134	18,067,134	215,137,138
54/67363-02-001	GRANT JOINT UNION HIGH	Sacramento	HIGHER LEARNING ACADEMY	6/5/2007	77	1	14	Urban	-	Small	-	9-12	-	17,103,884	17,103,884	232,241,022
54/61259-09-001	OAKLAND UNIFIED	Alameda	OAKLAND UNITY HIGH	6/1/2007	79	2	15	Urban	-	Medium	-	9-12	-	19,836,428	19,836,428	252,077,450
54/64733-00-045	LOS ANGELES UNIFIED	Los Angeles	ANIMO JACKIE ROBINSON HIGH	6/5/2007	79.5	3	16	Urban	-	Small	-	9-12	-	27,883,656	27,883,656	279,961,106
54/68338-09-002	SAN DIEGO CITY UNIFIED	San Diego	HTHK-8 QUARRY FALLS	6/5/2007	64	4	17	Urban	-	Large	-	7-8	-	35,407,326	35,407,326	315,368,432
54/64733-00-058	LOS ANGELES UNIFIED	Los Angeles	CAMINO NUEVO HIGH SCHOOL CHARTER **	6/5/2007	79	3	-	Urban	18	Medium	-	9-12	-	26,409,520	26,409,520	341,777,952
54/66332-00-002	GRASS VALLEY ELEMENTARY	Nevada	YUBA RIVER CHARTER	5/25/2007	64	1	-	Rural	19	Medium	-	7-8	-	8,502,512	8,502,512	350,280,464
54/64733-00-047	LOS ANGELES UNIFIED	Los Angeles	COLLEGE READY ACADEMY HIGH #9 **	6/5/2007	79	3	-	Suburban	20	Small	-	9-12	-	34,172,028	34,172,028	384,452,492
54/64733-00-035	LOS ANGELES UNIFIED	Los Angeles	OSCAR DE LA HOYA ANIMO CHARTER HIGH SCHOOL	6/5/2007	78.5	3	-	Urban	-	Large	21	9-12	-	10,817,746	10,817,746	395,270,238
54/64733-00-053	LOS ANGELES UNIFIED	Los Angeles	STELLA ACADEMY BUILDING	6/5/2007	78	3	-	Urban	-	Medium	22	7-8	-	24,426,544	23,926,544	419,196,782
54/64733-00-049	LOS ANGELES UNIFIED	Los Angeles	COLLEGE READY ACADEMY HIGH #8 **	6/5/2007	79	3	-	Urban	-	Small	23	9-12	-	33,050,312	33,050,312	452,247,094
54/70912-00-001	SANTA ROSA ELEMENTARY	Sonoma	SANTA ROSA CHARTER SCHOOL FOR THE ARTS	5/18/2007	76	1	-	Urban	-	Small	-	K-6	24	5,591,224	5,591,224	457,838,318
54/70912-00-002	SANTA ROSA ELEMENTARY	Sonoma	SANTA ROSA CHARTER SCHOOL FOR THE ARTS	5/18/2007	76	1	-	Urban	-	Small	-	K-6	24	4,751,806	4,751,806	462,590,124
54/64733-00-054	LOS ANGELES UNIFIED	Los Angeles	ASPIRE CLARENDON ELEMENTARY	6/5/2007	77.5	3	-	Suburban	-	Small	-	7-8	25	42,059,936	42,059,936	504,650,060
54/64733-00-063	LOS ANGELES UNIFIED	Los Angeles	CHARTER ACADEMY HIGH SCHOOL	6/5/2007	79	3	-	Suburban	-	Small	-	9-12	26	31,810,762	31,810,762	536,460,822
54/67439-00-004	SACRAMENTO CITY UNIFIED	Sacramento	THE LANGUAGE ACADEMY OF SACRAMENTO	6/1/2007	76	1	27	Urban	-	Medium	-	7-8	-	13,749,074	13,749,074	550,209,896
54/61259-79-001	OAKLAND UNIFIED	Alameda	LIGHTHOUSE COMMUNITY CHARTER	6/1/2007	76.5	2	28	Urban	-	Large	-	9-12	-	15,525,120	15,525,120	565,735,016
54/64733-00-050	LOS ANGELES UNIFIED	Los Angeles	COLLEGE READY ACADEMY HIGH #7	6/5/2007	79	3	29	Urban	-	Small	-	9-12	-	33,050,312	33,050,312	598,785,328
54/68338-09-001	SAN DIEGO CITY UNIFIED	San Diego	HTH ENTREPRENEUR	6/5/2007	64	4	30	Urban	-	Large	-	9-12	-	32,388,596	32,388,596	631,173,924
54/64733-00-052	LOS ANGELES UNIFIED	Los Angeles	COLLEGE READY ACADEMY HIGH #10	6/5/2007	79	3	-	Urban	31	Small	-	9-12	-	33,050,312	33,050,312	664,224,236
54/67827-00-001	ORO GRANDE ELEMENTARY	San Bernardino	RIVERSIDE PREPARATORY	6/4/2007	39.5	3	-	Rural	32	Large	-	K-6	-	5,047,634	5,047,634	669,271,870
54/64733-00-059	LOS ANGELES UNIFIED	Los Angeles	FREDERICK DOUGLAS ACADEMY MIDDLE	6/5/2007	76	3	-	Suburban	33	Small	-	7-8	-	17,667,222	17,667,222	686,939,092
54/64352-00-004	CENTINELA VALLEY UNION HIGH	Los Angeles	ANIMO LEADERSHIP HIGH	6/5/2007	76	3	-	Suburban	33	Large	-	9-12	-	11,438,236	11,438,236	698,377,328
54/72736-00-001	MARYSVILLE JOINT UNIFIED	Yuba	MARYSVILLE CHARTER ACADEMY FOR	6/5/2007	76	1	-	Suburban	33	Medium	-	9-12	-	19,299,382	19,299,382	717,676,710
54/67363-02-005	GRANT JOINT UNION HIGH	Sacramento	CALIFORNIA AEROSPACE ACADEMY	6/5/2007	76	1	-	Suburban	33	Small	-	9-12	-	29,658,572	29,658,572	747,335,282

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						Region	Funding Order	Urban, Rural, Suburban	Funding Order	Large, Medium, Small	Funding Order	Grade Level	Funding Order			
54/64733-00-062	LOS ANGELES UNIFIED	Los Angeles	FREDERICK DOUGLASS ACADEMY HIGH	6/5/2007	76	3	-	Suburban	33	Small	-	9-12	-	33,871,294	33,871,294	781,206,576
54/67363-02-003	GRANT JOINT UNION HIGH	Sacramento	GRANT COMMUNITY OUTREACH ACADEMY	6/5/2007	76	1	-	Urban	-	Large	34	9-12	-	13,421,110	13,421,110	794,627,686
54/67421-00-001	ROBLA ELEMENTARY	Sacramento	GRANT COMMUNITY OUTREACH ACADEMY	6/5/2007	76	1	-	Urban	-	Large	34	9-12	-	17,492,672	17,492,672	812,120,358
54/67876-00-001	SAN BERNARDINO CITY UNIFIED	San Bernardino	NORTON SPACE AND AERONAUTICS ACADEMY	6/5/2007	77	3	-	Urban	-	Medium	35	9-12	-	52,119,470	52,119,470	864,239,828
54/64733-00-034	LOS ANGELES UNIFIED	Los Angeles	ANIMO RALPH BUNCHE HIGH	6/5/2007	78.5	3	-	Urban	-	Small	36	9-12	-	27,883,656	27,883,656	892,123,484
54/64733-00-068	LOS ANGELES UNIFIED	Los Angeles	IVY ACADEMIA-OSO AVENUE CAMPUS	6/5/2007	72	3	-	Urban	-	Large	-	K-6	37	20,531,658	20,531,658	912,655,142
54/64733-00-060	LOS ANGELES UNIFIED	Los Angeles	BERT CORONA CHARTER	6/4/2007	76.5	3	-	Urban	-	Medium	-	7-8	38	17,114,546	17,114,546	929,769,688
54/64733-00-039	LOS ANGELES UNIFIED	Los Angeles	ANIMO PAT BROWN	6/5/2007	78.5	3	-	Urban	-	Small	-	9-12	39	9,969,296	9,969,296	939,738,984
54/67363-02-002	GRANT JOINT UNION HIGH	Sacramento	PHOENIX RISING CHARTER ACADEMY	6/5/2007	76	1	40	Urban	-	Small	-	9-12	-	14,685,168	14,685,168	954,424,152
54/67405-00-001	RIO LINDA UNION ELEMENTARY	Sacramento	PHOENIX RISING CHARTER ACADEMY	6/5/2007	76	1	40	Urban	-	Small	-	9-12	-	15,221,588	15,221,588	969,645,740
54/61259-09-003	OAKLAND UNIFIED	Alameda	BAYTECH PALACE	6/1/2007	72	2	41	Urban	-	Medium	-	9-12	-	18,005,996	18,005,996	987,651,736
54/64733-00-048	LOS ANGELES UNIFIED	Los Angeles	COLLEGE READY ACADEMY HIGH #5	6/5/2007	78	3	42	Urban	-	Small	-	9-12	-	33,329,764	33,329,764	1,020,981,500
54/68411-01-001	SWEETWATER UNION HIGH	San Diego	HTH CROSS-BORDER	6/5/2007	56	4	43	Suburban	-	Large	-	9-12	-	24,916,538	24,916,538	1,045,898,038
54/64733-00-057	LOS ANGELES UNIFIED	Los Angeles	MONSEÑOR OSCAR ROMERO CHARTER MIDDLE	6/4/2007	76	3	-	Urban	44	Small	-	7-8	-	16,871,696	16,871,696	1,062,769,734
54/71100-00-001	HICKMAN ELEMENTARY	Stanislaus	HICKMAN ELEMENTARY	6/5/2007	12	2	-	Rural	45	Medium	-	K-6	-	3,346,238	3,131,481	1,065,901,215
54/64733-00-038	LOS ANGELES UNIFIED	Los Angeles	ANIMO SOUTH LOS ANGELES CHARTER	6/5/2007	72	3	-	Suburban	46	Large	-	9-12	-	9,120,844	9,120,844	1,075,022,059
54/64733-00-036	LOS ANGELES UNIFIED	Los Angeles	ANIMO VENICE CHARTER HIGH	6/5/2007	72	3	-	Urban	-	Large	47	9-12	-	9,631,176	9,631,176	1,084,653,235
54/61259-09-002	OAKLAND UNIFIED	Alameda	ASPIRE MILLSMONT 6-12	6/5/2007	72	2	-	Urban	-	Medium	48	9-12	-	32,483,950	32,483,950	1,117,137,185
54/64733-00-042	LOS ANGELES UNIFIED	Los Angeles	ANIMO JEFFERSON CHARTER HIGH #5	6/5/2007	72	3	-	Urban	-	Small	49	9-12	-	25,503,656	25,503,656	1,142,640,841
54/70573-00-002	VACAVILLE UNIFIED	Solano	FAIRMONT ELEMENTARY	6/5/2007	56	1	-	Suburban	-	Large	-	K-6	50	13,406,400	6,703,200	1,149,344,041
54/66332-00-001	GRASS VALLEY ELEMENTARY	Nevada	NEVADA CITY SCHOOL OF THE ARTS	5/30/2007	64	1	-	Suburban	-	Medium	-	7-8	51	8,100,768	8,100,768	1,157,444,809
54/64733-00-041	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #1	6/5/2007	72	3	-	Urban	-	Small	-	9-12	52	25,503,656	25,503,656	1,182,948,465
54/70581-00-002	VALLEJO CITY UNIFIED	Solano	MARE ISLAND TECHNOLOGY ACADEMY	6/5/2007	68	1	53	Urban	-	Large	-	9-12	-	21,111,954	21,111,954	1,204,060,419
54/71100-00-001	HICKMAN ELEMENTARY	Stanislaus	HICKMAN MIDDLE	6/5/2007	12	2	54	Rural	-	Small	-	7-8	-	1,373,486	1,158,729	1,205,219,148
54/64733-00-043	LOS ANGELES UNIFIED	Los Angeles	ANIMO JEFFERSON CHARTER HIGH #6	6/5/2007	72	3	55	Urban	-	Small	-	9-12	-	25,503,656	25,503,656	1,230,722,804
54/73791-00-001	SAN MARCOS UNIFIED	San Diego	HTH DESIGN BUILD	6/5/2007	52	4	56	Urban	-	Large	-	9-12	-	31,967,566	31,967,566	1,262,690,370
54/64733-00-029	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLGE PREPARATORY CHARTER HIGH #4	6/5/2007	72	3	-	Urban	57	Small	-	9-12	-	25,503,656	25,503,656	1,288,194,026
54/65094-00-001	WEST COVINA UNIFIED	Los Angeles	SAN JOSE EDISON ACADEMY	6/5/2007	56	3	-	Suburban	58	Large	-	7-8	-	3,188,450	3,188,450	1,291,382,476
54/75077-00-001	APPLE VALLEY UNIFIED	San Bernardino	ACADEMY FOR ACADEMIC EXCELLENCE	6/5/2007	56	3	-	Suburban	-	Large	59	9-12	-	20,801,206	20,801,206	1,312,183,682
54/64733-00-044	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #7	6/5/2007	72	3	-	Urban	-	Small	60	9-12	-	25,503,656	25,503,656	1,337,687,338
54/68023-00-001	CHULA VISTA ELEMENTARY	San Diego	HTHK-8 CHULA VISTA	6/5/2007	48	4	-	Suburban	-	Large	-	7-8	61	35,320,464	35,320,464	1,373,007,802
54/64733-00-037	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY HIGH #8	6/5/2007	72	3	-	Urban	-	Small	-	9-12	62	25,503,656	25,503,656	1,398,511,458
54/61531-00-001	PARADISE UNIFIED	Butte	PARADISE CHARTER MIDDLE	6/4/2007	20	1	63	Suburban	-	Small	-	7-8	-	3,431,808	3,431,808	1,401,943,266
54/64733-00-030	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #9	6/5/2007	72	3	64	Urban	-	Small	-	9-12	-	25,503,656	25,503,656	1,427,446,922
54/64733-00-032	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #10	6/5/2007	72	3	-	Urban	65	Small	-	9-12	-	25,503,656	25,503,656	1,452,950,578
54/64352-00-005	CENTINELA VALLEY UNION HIGH	Los Angeles	LENNOX MATHEMATICS, SCIENCE, TECHNOLOGY	5/31/2007	36.5	3	-	Suburban	66	Large	-	9-12	-	9,696,346	9,696,346	1,462,646,924
54/64733-00-031	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #11	6/5/2007	72	3	-	Urban	-	Small	67	9-12	-	25,503,656	25,503,656	1,488,150,580
54/64733-00-040	LOS ANGELES UNIFIED	Los Angeles	ANIMO COLLEGE PREPARATORY CHARTER HIGH #12	6/5/2007	72	3	-	Urban	-	Small	-	9-12	68	25,503,656	25,503,656	1,513,654,236
Total														1,590,576,228	1,513,654,236	

* This symbol denotes a tie between applications that was resolved pursuant to Regulation Section 1859.164.

** This symbol denotes a tie between applications that was resolved pursuant to Regulation Section 1859.164, using a lottery system.